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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,578	11/10/2003	Terry Edgar Bassett	P02757	4257
28548	7590	05/27/2005		EXAMINER
STONEMAN LAW OFFICES, LTD				GONZALEZ, JULIO C
3113 NORTH 3RD STREET				
PHOENIX, AZ 85012			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/705,578	BASSETT, TERRY EDGAR
	Examiner	Art Unit
	Julio C. Gonzalez	2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 April 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-9, 12-20 and 26-29 is/are rejected.
 7) Claim(s) 10, 11 and 21-25 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 10 November 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 USC 121:
 - I. Claims 1-25, drawn to electrical generation system, classified in class 290, subclass 2.
 - II. Claims 26-29, drawn to method of disposing waste oil, classified in class 405, subclass 129.1.
2. Applicant's election with traverse of Group I in the reply filed on 04/07/05 is acknowledged. The traversal is on the ground(s) that the claims are very similar and do not impose a burden to search all the claims. This is found persuasive because a second analysis was done on all the claims and both groups, I and II may be searched together; therefore, this Office Action will take into consideration claims 1 – 29.

Claim Objections

3. Claim 13 is objected to because of the following informalities: claim 13 discloses “one electrical circuit comprises at least one electrical network to at least one larger electrical grid”. It may seem as if the electrical network is connected to the grid, however, such description is missing. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5, 12-14, 16, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer, Jr. (US 4,161,657) in view of Yoshikawa et al (US 6,167,691) and Martz et al (US 4,031,404).

Shaffer, Jr. discloses an electrical generating system having a heat source 48 connected to a heat exchanger 51 and the heat exchanger being connected to an engine 57 and the engine 57 driving a generator 59, which is connected to a grid 60 (see figure 4). Moreover, Shaffer, Jr. discloses having a controller for the generating system (see figure 1) and using a Stirling engine (see figure 5A). However, Shaffer, Jr. does not disclose explicitly using waste oil as the source of heat.

On the other hand, Yoshikawa et al discloses for the purpose of providing gasification power generation with high efficiency using inexpensive construction that waste oil is known to be a heat source (column 12, lines 45-47).

However, neither Shaffer, Jr. nor Yoshikawa et al disclose explicitly sending the

oil from a container to a heater.

On the other hand, Martz et al discloses for the purpose of providing a better control for a power facility, an oil holder 702 (see figure 5E) for a power plant facility (see figure 2) and which the oil is sent to a burner 16 (see figures 1, 5B) and further discloses using batteries, which are controlled by a controller (column 8, lines 32-34).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design an electrical generation system as disclosed by Shaffer, Jr. and to modify the invention by using waste oil for the purpose of providing gasification power generation with high efficiency using inexpensive construction as disclosed by Yoshikawa et al and to explicitly disclose sending oil to a burner for the purpose of providing a better control for a power facility as disclosed by Martz et al.

6. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer, Jr., Yoshikawa et al and Martz et al as applied to claims 1, 12 and 26 above, and further in view of Coll et al (US 2003/0213246).

The combined electrical generation system discloses all of the elements above. However, the combined electrical generation system does not disclose

explicitly that a controller is able to control power between an electrical network and a power grid.

On the other hand, Coll et al discloses for the purpose of providing an inexpensive and reliable power system that controllers are known to control power between an electrical network of the power facility and a grid (see abstract and paragraphs 0040, 0055).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined electrical generation system as disclosed above and to modify the invention by explicitly providing a controller to control power between an electrical network and the grid for the purpose of providing an inexpensive and reliable power system as disclosed by Coll et al.

7. Claims 6-9, 17-20, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer, Jr., Yoshikawa et al and Martz et al as applied to claims 1, 12 and 26 above, and further in view of Peters (US 3,678,284).

The combined electrical generation system discloses all of the elements above. However, the combined electrical generation system does not disclose that a secondary heater is used for space heating.

On the other hand, Peters discloses for the purpose of avoiding peak power loads and improving the efficiency of power plants, a system that uses oil as fuel, which sends the oil to a burner (see figure 1) and uses a second heater for heating liquid (converter 15), which is used for space heating (see abstract & figures 1, 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined electrical generation system as disclosed above and to modify the invention by using a second heater for the purpose of avoiding peak power loads and improving the efficiency of power plants as disclosed by Peters.

Allowable Subject Matter

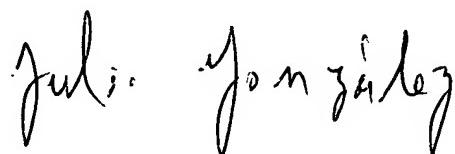
8. Claims 10, 11, 21, 22, 23, 24, 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is 571-272-2024. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Julio C. Gonzalez
Examiner
Art Unit 2834

Jcg

May 25, 2005